



03-04-02

PTO/SB/05 (03-01)

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. I 2001.004 US

First Inventor SCHETTERS, Theodorus

Title BABESIA CANIS VACCINE

Express Mail Label No. EL 400659292 US

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
*(Submit an original and a duplicate for fee processing)*
2.  Applicant claims small entity status.  
See 37 CFR 1.27.
3.  Specification [Total Pages 44]  
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4.  Drawing(s) (35 U.S.C. 113) [ Total Sheets 11 ]
5. Oath or Declaration [ Total Pages 4 ]  
 a.  Newly executed (original or copy)  
 b.  Copy from a prior application (37 CFR 1.63 (d))  
 (for continuation/divisional with Box 18 completed)  
 i.  **DELETION OF INVENTOR(S)**  
     Signed statement attached deleting inventor(s)  
     named in the prior application, see 37 CFR  
     1.63(d)(2) and 1.33(b).
6.  Application Data Sheet. See 37 CFR 1.76

**ADDRESS TO:** Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7.  CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission  
*(if applicable, all necessary)*
  - a.  Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i.  CD-ROM or CD-R (2 copies); or
    - ii.  paper
  - c.  Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9.  Assignment Papers (cover sheet & document(s))
10.  37 CFR 3.73(b) Statement  Power of Attorney  
*(when there is an assignee)*
11.  English Translation Document (if applicable)
12.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS Citations
13.  Preliminary Amendment
14.  Return Receipt Postcard (MPEP 503)  
*(Should be specifically itemized)*
15.  Certified Copy of Priority Document(s)  
*(if foreign priority is claimed)*
16.  Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17.  Other: .....

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation     Divisional     Continuation-in-part (CIP)    of prior application No.: \_\_\_\_\_ / \_\_\_\_\_

Prior application information: Examiner: \_\_\_\_\_ Group Art Unit: \_\_\_\_\_

**For CONTINUATION OR DIVISIONAL APPS only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**

<input checked="" type="checkbox"/> Customer Number or Bar Code Label			or	<input type="checkbox"/> Correspondence address below
Name	31846			
	PATENT TRADEMARK OFFICE			
Address				
City		State		Zip Code
Country		Telephone		Fax

Name (Print/Type)	William P. Ramey III	Registration No. (Attorney/Agent)	44,295
Signature			Date 02/28/2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

**Certificate of Mailing under 37 CFR 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

**Assistant Commissioner for Patents  
Washington, D.C. 20231**

on 2/28/02  
Date

  
Signature

Katrina Mears

Typed or printed name of person of signing Certificate

In re the application of :

February 28, 2002

SCHETTERS, Theodorus  
BABESIA CANIS VACCINE  
Attorney Docket No. 2001.004 US

Receipt is hereby acknowledged of the papers and fees listed below which are filed in connection with the above-identified application on February 28, 2002

Utility Patent Application Transmittal  
Fee Transmittal  
Preliminary Amendment  
Copy of Specification, Claims and Abstract (44 pages)  
Assignment and Cover Sheet  
Claim to Priority with Priority Document  
Declaration and Power of Attorney (2)  
Sequence Listing (paper copy and CRF)  
Certified Copy of Priority Documents  
Fees: \$1,846.00

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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 1846.00)

## Complete if Known

Application Number	To be assigned
Filing Date	02/28/2002
First Named Inventor	SCHETTERS, Theodorus
Examiner Name	To be assigned
Group Art Unit	TBA
Attorney Docket No.	I/2001.004

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 02-2334

Deposit Account Name Akzo Nobel Patent

 Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 Applicant claims small entity status See 37 CFR 1.27

2.  Payment Enclosed:

 Check     Credit card     Money Order     Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101	740	201	370 Utility filing fee	740.00
106	330	206	165 Design filing fee	
107	510	207	255 Plant filing fee	
108	740	208	370 Reissue filing fee	
114	160	214	80 Provisional filing fee	
SUBTOTAL (1) (\$ 740.00)				

## 2. EXTRA CLAIM FEES

Total Claims	59	-20** =	39	x	18.00	=	702.00	Fee from below	Fee Paid
Independent Claims	4	- 3** =	1	x	84.00	=	84.00		
Multiple Dependent					280.00	=	280.00		

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description
103	18	203 9 Claims in excess of 20
102	84	202 42 Independent claims in excess of 3
104	280	204 140 Multiple dependent claim, if not paid
109	84	209 42 ** Reissue independent claims over original patent
110	18	210 9 ** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$ 1066.00)		

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105	130	205 65 Surcharge - late filing fee or oath	
127	50	227 25 Surcharge - late provisional filing fee or cover sheet	
139	130	139 130 Non-English specification	
147	2,520	147 2,520 For filing a request for ex parte reexamination	
112	920*	112 920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113 1,840* Requesting publication of SIR after Examiner action	
115	110	215 55 Extension for reply within first month	
116	400	216 200 Extension for reply within second month	
117	920	217 460 Extension for reply within third month	
118	1,440	218 720 Extension for reply within fourth month	
128	1,960	228 980 Extension for reply within fifth month	
119	320	219 160 Notice of Appeal	
120	320	220 160 Filing a brief in support of an appeal	
121	280	221 140 Request for oral hearing	
138	1,510	138 1,510 Petition to institute a public use proceeding	
140	110	240 55 Petition to revive - unavoidable	
141	1,280	241 640 Petition to revive - unintentional	
142	1,280	242 640 Utility issue fee (or reissue)	
143	460	243 230 Design issue fee	
144	620	244 310 Plant issue fee	
122	130	122 130 Petitions to the Commissioner	
123	50	123 50 Processing fee under 37 CFR 1.17(q)	
126	180	126 180 Submission of Information Disclosure Stmt	
581	40	581 40 Recording each patent assignment per property (times number of properties)	40.00
146	740	246 370 Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249 370 For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279 370 Request for Continued Examination (RCE)	
169	900	169 900 Request for expedited examination of a design application	
Other fee (specify) _____			
*Reduced by Basic Filing Fee Paid			SUBTOTAL (3) (\$ 40.00)

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	William P. Ramey III	Registration No. (Attorney/Agent)	44,295	Telephone	(302) 933-4034
Signature				Date	02/28/2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
SCHETTERS, Theodorus PM  
CARCY, Bernard PD  
DRACULOVSKI, Pascal R  
GORENFLOT, Andre F

Serial No.: To be assigned                          Group Art Unit: To be assigned

Filed: Concurrently herewith                          Examiner: To be assigned

For: BABESIA CANIS VACCINE

Corresponding to: EP01200816.5, Filed 06 March, 2001

**SUBMISSION OF SEQUENCE LISTING**

Assistant Commissioner of Patents  
Washington, D.C. 20231

February 28, 2002

Sir:  
Applicants are submitting herewith the Sequence Listing for the above-identified application both in paper copy form and in computer readable form.

The name of the file on the computer readable form is 20010041.app. The paper copy and the computer readable form are the same. No new matter is added hereby.

Please replace the current sequence listing in the specification with the instant sequence listing.

Respectfully submitted,

William P. Ramey III  
Patent Counsel  
Registration No. 44,295

Attorney Docket No. 2001.004 US  
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